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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE CLERK

August 8, 1997

Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

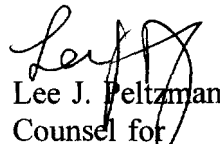
Re: MM Docket No. 97-138

Dear Mr. Caton:

Transmitted herewith, on behalf of Alan R. Quarnstrom, are an original and four (4) copies of his Comments in the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate with the undersigned.

Sincerely,


Lee J. Peltzman
Counsel for

ALAN R. QUARNSTROM

Enclosure
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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

AUG 08 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
) MM DOCKET NO. 97-138
Review of the Commission's Rules)
Regarding the Main Studio and)
Local Public Inspection Files of)
Broadcast Television and Radio Stations)
)
47 C.F.F. §§ 73.1125, 73.3526 and 73.3527)

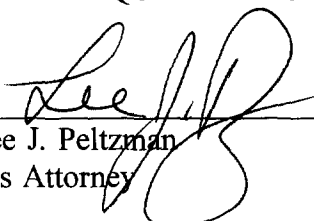
C O M M E N T S

Alan R. Quarnstrom hereby files Comments in the above-captioned FCC rule making proceeding regarding amendment of the FCC's broadcast main studio and local public inspection file rules. Attached hereto are comments from Mr. Quarnstrom.

Respectfully submitted,

ALAN R. QUARNSTROM

By:



Lee J. Peltzman
His Attorney

Shainis & Peltzman, Chartered
1901 L Street, N.W. - Suite 290
Washington, D.C. 20036

202/293-0011

August 8, 1997

S T A T E M E N T

I, Alan R. Quarnstrom, have worked in the radio business for over 25 years as an owner, manager, and/or employee. During that time I have witnessed numerous changes. I, through various legal entities, presently hold six radio licenses as well as two construction permits. In addition, I have applied for construction permits for three additional stations. It is my intention to continue operating my existing stations and to construct and operate those stations when my applications are granted. Some of those stations serve or will serve the same market.

With the increase of FM stations over the last ten years in smaller markets, it has become increasingly harder for small market broadcasters to survive financially. The necessity of maintaining local studios for each station has increased the costs of operations and made financial viability even more difficult to achieve. As the Commission noted in its Notice of Proposed Rule Making, a licensee owning two or more stations in the same area will find it more efficient to operate those stations from a centrally located studio/business office. Locating the studios for several stations in one "hub" location will allow the business to be more financially stable. Not only will the savings resulting from such centralization be put to more productive use for the benefit of the licensed communities but, in certain cases, the cost savings may be the difference between one or more stations continuing to exist or going silent because of financial problems. The same economies of scale that are presently being achieved through common ownership of

stations in the same market will also be achieved by the Commission's relaxation of its main studio rule.

In addition, there is an obvious unfairness in the existing rule's use of a station's principal community contour to determine where its studio must be located. The principal community contour of a broadcast station will vary greatly depending on the station's channel and class. The Commission should not continue to discriminate between low power and high power stations. There should be a uniform requirement applicable to all stations, no matter what the class or channel.

Thus, for example, under the current rules, if a single broadcaster owned three Class A stations within a 50 miles radius, it will in all likelihood be required to maintain three separate studios. Yet, if the same broadcaster owned three Class C stations in the same geographic market, the studios could all be located in the same place due to the relative distances of each station's city grade signal. There is an obvious inequity in this differing treatment. Clearly, a broadcaster with three Class A stations will not be providing better service than a broadcaster with three Class C stations just because he has three studios. At the same time, the owner of the Class C stations will be able to operate more efficiently because of his decreased costs of operation due to his ability to consolidate management, traffic, accounting, and on-air functions. As a practical matter, both broadcasters will still have to meet the needs of the communities they serve with news and public affairs programming in order to attract an audience and sell advertising to maintain overall financial viability. However, the owner of the Class C stations will be able to invest his savings, derived from the ability to co-locate his studios, for the benefit of the communities.

I propose that all stations be allowed to locate their main studios within a theoretical 1 mV/m contour of a fully maximized Class C station (measured from the center of each licensed community), whether or not a Class C station actually operates in that community. In certain markets there are no operating Class C stations. There is no reason why those lower powered stations operating in such communities should be discriminated against by having to meet a tougher standard. The accessibility of a studio to the general public is not increased or decreased based on the amount of stations in each community or their power.

By maintaining such a standard, each station main studio would be located sufficiently proximate to the residents of its community of license that it would be reasonably accessible. Yet, a revised requirement, applicable to all stations in a uniform manner, would permit broadcasters to serve their communities and maintain sufficient economies of scale by consolidating their studios in appropriate cases.

Additionally, I fully support the Commission proposal to locate a station's local public inspection file at its main studio, even when the main studio is located outside the station's community of license. There is no reason to believe that locating a public inspection file at the main studio will deprive the public of a reasonably accessible location. Certainly, it will be easier to keep a current and updated public file where it is located at the station workplace, rather than at another location, such as a public library, chamber of commerce, or an attorney's office. In fact, it has been my experience that most members of the listening audience, if they think about it at all, assume that the public file is located at the station's studio. Therefore, allowing this to occur will do nothing more than confirm what most people already believe.

In sum, the Commission is correct to examine its main studio and public file rules. They

should be amended to reflect current broadcast realities. Amending the rules will allow stations to provide better public service, since financially strained stations located in small markets find it more difficult to provide service.



Alan R. Quarnstrom

August 7, 1997